

IN THE UNITED STATES BANKRUPTCY COURT, DISTRICT OF PUERTO RICO

IN RE: EMMA VIOLETA VELEZ BAEZ

Bkrtcy. No. 10-01376-SEK

Chapter 13

STANDING CHAPTER 13 TRUSTEE §341 MEETING MINUTES  
AND REPORT ON CONFIRMATION

Petition Filing Date: <u>Feb 26, 2010</u>	Meeting Date: <u>Jul 22, 2010</u>	DC Track No. <u>5</u>						
Days from petition date: <u>146</u>	Meeting Time: <u>8:00 AM</u>							
910 Days before Petition: <u>8/31/2007</u>	<input type="checkbox"/> Chapter 13 Plan Date: <u>Feb 26, 2010 Dkt.# 2</u>	<input type="checkbox"/> Amended.						
This is debtor(s) <u>1st</u> Bankruptcy petition.	Plan Base: <u>\$24,000.00</u>							
This is the <u>2nd</u> Scheduled Meeting	Confirmation Hearing Date: <u>Aug 10, 2010</u>	Time: <u>8:30 AM</u>						
Payment(s) <input type="checkbox"/> Received or <input type="checkbox"/> Evidence shown at meeting:	<table border="1" style="width:100%"> <thead> <tr> <th>Ck/MO No.</th> <th>Date</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Ck/MO No.	Date	Amount				Total Paid In: <u>\$1,200.00</u>
Ck/MO No.	Date	Amount						

<b>I. Appearances:</b> <input type="checkbox"/> Telephone <input type="checkbox"/> Video Conference		<input type="checkbox"/> Creditor(s) present: <u>X</u> None.
<input checked="" type="checkbox"/> Debtor Present	<input checked="" type="checkbox"/> ID & Soc. OK <input type="checkbox"/> Debtor Absent	
<input type="checkbox"/> Joint Debtor Present	<input type="checkbox"/> ID & Soc. OK <input type="checkbox"/> Joint Debtor Absent	
Debtor(s) was/were <u>X</u> Examined <input type="checkbox"/> Not Examined under oath.		
Attorney for Debtor(s) <u>X</u> Present <input type="checkbox"/> Not Present		
<input type="checkbox"/> Substitute attorney: <input type="checkbox"/> Pro-se.		

<b>II. Attorneys Fees as per R 2016(b) Statement</b>		Attorney of record: <u>JUAN O CALDERON LITHGOW*</u>
Total Agreed: <u>\$3,000.00</u>	Paid Pre-Petition: <u>\$100.00</u>	Outstanding: <u>\$2,900.00</u> <small>THROUGH THE PLAN</small>

**III. Trustee's will file Motion to Dismiss:** ☐ For Failure to appear; ☐ For Failure to commence payments.

**IV. Trustee's Report on Confirmation & Status of §341 Meeting**

Debtor(s) Income is (are) ☐ Under ☐ Above Median Income. Liquidation Value: 0

Commitment Period is ☐ 36 TBD ☐ 60 months. [§1325(b)(1)(B)] Gen. Unsecured Pool: TBD

The Trustee ☐ RECOMMENDS ☒ OBJECTS Plan confirmation.

§341 Meeting ☐ CONTINUED ☐ NOT HELD ☒ CLOSED ☐ HELD OPEN FOR \_\_\_ DAYS

§341 Meeting Rescheduled for: \_\_\_\_\_

**V. Trustee's OBJECTIONS to Confirmation:** ① Other

☐ FEASIBILITY [§1325(a)(6)] ☒ INSUFFICIENTLY FUNDED ☐ To pay \$507 ☐ Fails Creditor's Best Interest Test §1325(A)(4)

☒ FAILS DISPOSABLE INCOME REQUIREMENTS ☐ Failure to comply with Tax returns requirements. [§1308]

☐ Failure to comply with DSO requirements ☐ Plan not filed in Good Faith §1325(a)(3) ☐ Unfair Discrimination §1322(a)(3)

**ADDITIONAL OBJECTIONS / COMMENTS:**

① Debtor will amend the Voluntary Petition to correct her address it should read huse #157 not #159.

① Debtor's Means test is incomplete. Re: Unes 27, 28 household should be 3, income should include sister's income and sons income.

② Debtor failed to list family contribution. Any

/s/ José R. Carrión  
Trustee

Presiding Officer

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amendment to Sch. J must be accompanied by

ADDITIONAL OBJECTIONS / COMMENTS:

- ② Debtor failed to list her X-mas bonus. Some  
said income should be surrendered to  
fund the plan for it is Disposable income.
- ③ Debtor must submit 2009's X-mas Bonus.  
Said income was not included in the means  
test. Debtor must make the pertinent  
amendment
- ④ Debtor must amend the plan to include  
the Tax Refund Statement. Tax Refunds are  
disposable income and should be used to  
fund the plan.

  
Trustee / Presiding Officer

Date: July 22, 2010